

ASSIGNED

Nº 48939

AMENDED

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office. MAR 27 1985
 Returned to applicant for correction. APR 10 1985
 Corrected application filed. JUN 05 1985
 Map filed. JUN 05 1985

The applicantS Michael J. Hornbarger and Henry Kent Arrien II
1254 Toy St., of Winnemucca,
Street and No. or P.O. Box No. City or Town
Nevada 89445, hereby make application for permission to appropriate the public
State and Zip Code No.
 waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is unnamed spring
Name of stream, lake, spring, underground or other source
2. The amount of water applied for is 0.50 second-feet
One second-foot equals 448.83 gals. per min.
 (a) If stored in reservoir give number of acre-feet.
3. The water to be used for Irrigation and domestic
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated 40 acres
 - (b) Stockwater, state number and kinds of animals to be watered.
 - (c) Other use (describe fully under "No. 12. Remarks")
 - (d) Power:
 - (1) Horsepower developed.
 - (2) Point of return of water to stream.
5. The water is to be diverted from its source at the following point within NW¼ SW¼ Section 1
Describe as being within a 40-acre subdivision of public
T35N R38E MDB&M or at a point from which the W¼ corner of said
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.
section 1 bears N44°28'W a distance of 1722'.
6. Place of use within NW¼ SW¼ Section 1 T35N R38E MDB&M
Describe by legal subdivision. If on unsurveyed land, it should be so stated.
7. Use will begin about Jan 1 and end about Dec. 31, of each year.
Month and Day Month and Day
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) small diversion dam with ditches
State manner in which water is to be diverted, i.e. diversion structure, ditches and
and pipelines to point of use.
fumes, drilled well with pump and motor, etc.
9. Estimated cost of works \$5,000

10. Estimated time required to construct works 2 years
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use 2 years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

By s/Carl J. Crosby agent
P.O. Box 1118
Winnemucca, Nev. 89445

Compared mc/jf js/se

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the 0.5 c.f.s., herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to a beneficial use. A suitable measuring device must be installed and accurate measurements of the water placed to a beneficial use must be included in the proof of such use when filed. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

This permit is subject to the condition that the permittee must ensure that wildlife which have customarily used such water will have access thereto, NRS 533.367.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The manner of use under this permit shall not be allowed to be changed by change application until such time as proof of beneficial use has established how much water has been developed at the source.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.5 cubic feet per second, but not to exceed 75 acre-feet per year.

Work must be prosecuted with reasonable diligence and be completed on or before June 17, 1988

Proof of completion of work shall be filed on or before July 17, 1988

Application of water to beneficial use shall be made on or before June 17, 1990

Proof of the application of water to beneficial use shall be filed on or before July 17, 1990

Map in support of proof of beneficial use shall be filed on or before _____

Completion of work filed MAY 24 1988 IN TESTIMONY WHEREOF, I PETER G. MORROS
State Engineer of Nevada, have hereunto set my hand and the seal of

Proof of beneficial use filed AUG 06 1993 my office, this 17th day of June

Cultural map filed _____

Certificate No. 13963 Issued NOV 14 1994 A.D. 19 86
Peter G. Morros
State Engineer